

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

7 || ROGER KUEFFER,

**Plaintiff(s),**

No. C 12-0778 PJH

v.

## **ORDER OF DISMISSAL**

10  
11 DIVERSIFIED COLLECTION SERVICES,  
INC.,

**Defendant(s).**

14 Plaintiff's counsel, having advised the court that the parties have agreed to a  
15 settlement of this cause, IT IS HEREBY ORDERED that this cause of action is dismissed  
16 **without** prejudice; provided, however that if any party hereto shall certify to this court,  
17 within sixty (60) days, with proof of service thereof, that the agreed consideration for said  
18 settlement has not been delivered over, the foregoing order shall stand vacated and this  
19 cause shall forthwith be restored to the calendar to be set for trial.

20 If no certification is filed, after passage of sixty (60) days, the dismissal shall be **with**  
21 prejudice. The parties may substitute their own dismissal with prejudice anytime before the  
22 expiration of the sixty day period.

## 23 || IT IS SO ORDERED.

24 || Dated: November 15, 2012

  
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PHYLLIS J. HAMILTON  
United States District Judge